

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:07CR64
	)	
v.	)	
	)	
SERGIO SANTA-CRUZ,	)	FINAL ORDER OF
	)	FORFEITURE
Defendant.	)	
_____	)	

This matter is before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief (Filing No. 32). The Court has reviewed the record in this case and finds as follows:

1. On June 8, 2007, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 922(g)(5), 924(d) and Title 28, United States Code, Section 2461(c), based upon the defendant's plea of guilty to Counts I and II of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in a Mossberg 12 gauge pump-action shotgun, Model: 88, serial number MV56461E, was forfeited to the United States.

2. On July 5, 12 and 19, 2007, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said property. An Affidavit of Publication was filed herein on August 20, 2007 (Filing No. 31).

3. The Court has been advised by the United States no Petitions have been filed.

From a review of the Court file, the Court finds no Petitions have been filed.

4. Plaintiff's Motion for Final Order of Forfeiture should be sustained. Accordingly,

IT IS ORDERED:

A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the Mossberg 12 gauge pump-action shotgun, Model: 88, serial number MV56461E, held by any person or entity, is hereby forever barred and foreclosed.

C. The Mossberg 12 gauge pump-action shotgun, Model: 88, serial number MV56461E, be, and the same hereby is, forfeited to the United States of America.

D. The United States Bureau of Alcohol, Tobacco and Firearms for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 27th day of August, 2007.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court